

# **CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 10/12/2015	NEED RESPONSE BY: 10/15/15 or sooner
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Shasta County HHSA/Administrative Hearings	
3. PHONE NO.:	7. SUBJECT: Collection for CalFresh Overissuance	
4. REGULATION CITE(S): 63-801.1, 63-801.431(f); 63-801.6	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  ACIN I-16-05 page 11, ACIN I-84-09 page 7	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):  
 ACIN I-84-09 and ACIN I-84-09E state "If a 20 year old household member is receiving food stamps as part of his/her parents' household and an overissuance occurs, all adult household members residing in the household when the overissuance occurred, including the 20 year old child, are considered to be liable for repayment of the overissuance claim."

Scenario: Parent applied for and was granted CalFresh benefits for a household of three, including an adult child. Later, it was determined the adult child was not residing in the home and a CalFresh overissuance was charted using a household size of 2. The adult child is stating (s)he was not aware (s)he were applied for and is disputing her status as a liable party.

(continued on back)

10. REQUESTOR'S PROPOSED ANSWER:

a) No, the adult child is not liable to repay the overissuance even though the adult child was aided as a household member at the time of the overissuance as she was not a resident of the household.

b) An individual is not responsible to repay overissuances when it is determined they were not a part of the CalFresh household and unaware they were applied for.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

State concurs with both A and B in the proposed response.

## **FOR CDSS USE**

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ: JR 10.15.15
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**CALFRESH (CF) PROGRAM  
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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<b>1. RESPONSE NEEDED DUE TO:</b> <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	<b>5. DATE OF REQUEST:</b>	<b>NEED RESPONSE BY:</b>
<b>2. REQUESTOR NAME:</b>	<b>6. COUNTY/ORGANIZATION:</b>	
<b>3. PHONE NO.:</b>	<b>7. SUBJECT:</b>	
<b>4. REGULATION CITE(S):</b>	<b>8. REFERENCES:</b> <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

Question (continued)

a) Is the adult child liable to repay the overissuance even though (s)he was not residing in the home at the time of the overissuance?

b) Is an individual liable to repay an overissuance that occurred when the individual is fraudulently listed as a household member, but it is determined (s)he was unaware they were applied for?